

IN THE HIGH COURT OF JUDICATURE AT PATNA
Civil Writ Jurisdiction Case No.4405 of 2018

Prabhu Sharan Srivastava son of Late Kailash Lal Resident of Village - Bhalwaiya, P.S. - Proshotampur Via Mainatand, District - West Champaran, Bihar, working as Assistant in Ram Lakhan Singh Yadav College, Bettiah, Bihar under B.R. Ambedkar Bihar University, Muzaffarpur (Bihar).

... .. Petitioner/s

Versus

1. The State of Bihar through the Secretary, Department of Higher Education, Government of Bihar, Patna.
2. The Vice - Chancellor, B.R. Ambedkar Bihar University, Muzaffarpur.
3. The Registrar, B.R. Ambedkar, Bihar University, Muzaffarpur.
4. Ram Lakhan Singh Yadav College, Bettiah, through its Principal.

... .. Respondent/s

Appearance :

For the Petitioner/s : Mr. Ram Naresh Ray

For the Respondent/s : Mr. S.C. Mishra-Sc16

Mr. Pramod Kumar Singh, A.C. to S.C. 16

CORAM: HONOURABLE MR. JUSTICE ANIL KUMAR UPADHYAY
ORAL JUDGMENT

Date : 20-07-2018

Heard learned counsel for the petitioner and learned counsel appearing on behalf of the State as well learned counsel for the State.

2. The grievance of the petitioner in the instant case is that although, the petitioner is regularly working after appointment in the erstwhile college made constituent in 4th phase, but while issuing letter No. 25C his case was not properly considered and his name does not figure in letter no. 25C.

3. He submits that the documents available on the record would indicate that University has acknowledged the fact that the petitioner is regularly working and there are post available to accommodate the petitioner. He further submits that similar



circumstance other out of 25 persons have been accommodated by the University and the case of this petitioner has not been considered as yet.

4. Considering the aforesaid, the instant writ petition is disposed of with direction to the University to examine whether the petitioner was appointed prior to the date of the college in question was made constituent and whether the petitioner has the requisite qualification for appointment on the post and further whether there is post available for consideration of the case for absorption of the petitioner or not. If similarly circumstanced other have been accommodated and absorbed and if there exists post for absorption, the respondent may examine the case of the petitioner and extend the similar treatment in view of 2011 litigation policy.

5. Necessary decision in this regard may be taken by the respondent University within a maximum period of four months from the date of receipt/ production of a copy of this order.

6. With the aforesaid the writ petition stands disposed of.

(Anil Kumar Upadhyay, J)

banti/-T.Kr.

AFR/NAFR	NAFR
CAV DATE	NA
Uploading Date	25.07.2018
Transmission Date	

